

**WEST LAMPETER TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING OF MAY 8, 2017**

Chairman Barry Hershey called the Regular Meeting of the West Lampeter Township Board of Supervisors to order at 7:00 p.m. with the Pledge to the Flag. Those in attendance were Supervisors Terry Kauffman, Randy Moyer, Robert Patterson, and Geoffrey Beers. Township Manager, Dee Dee McGuire, and Recording Secretary, Susan Worby were also present.

CONDITIONAL USE DECISION – Doug Keener, Flag Lot, Gypsy Hill Road

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers to approve the Conditional Use Decision, CU-2017-1, Doug Keener, subject to the conditions stated in the decision. The motion was approved 4 in favor, 0 against, 1 abstention (Kauffman, not present for the hearing).

PRESENTATION - Proposed Increase in Lancaster County Excise Tax – Diane Poillon, Willow Valley

Diane Poillon, Willow Valley Assoc., and Stephen Sikking, Eden Resort and Greater Lancaster Hotel Motel Assoc., spoke about their opposition to a proposed increase in the Lancaster County Excise Tax. The tax is increasing to provide more publicity and marketing for Lancaster County. They feel the increase will negatively impact the hotel-motel business, almost exclusive to other businesses that don't pay the tax. It was requested that the Supervisors provide support of their opposition through either a resolution or letter. East Lampeter Township adopted a resolution to oppose the tax increase.

Supervisor Kauffman said that while sympathetic to their plight, it is not the Supervisors' fight. He feels uncomfortable telling another agency how to vote, what to do.

Lynne Griffin, owner of Australian Inn Bed & Breakfast, 857 Village Road, spoke in favor of the tax increase to help promote smaller B&Bs like hers. She stated the Airbnb business of renting out homes is hurting those B&Bs that must be licensed.

Chairman Hershey said the Supervisors will take the comments under advisement, but made no decision at this time.

PUBLIC COMMENT

None.

MINUTES

Conditional Use Hearing and Regular Meeting, March 13, 2017

Supervisor Beers made a **MOTION**, seconded by Supervisor Moyer, to approve the Minutes of the Conditional Use Hearing and Regular Meeting of May 8, 2017 as presented. The motion was approved 4 in favor, 0 against, 1 abstention (Kauffman) for the Conditional Use portion of the minutes, and unanimously approved 5 to 0 for the Regular Meeting portion of the minutes.

SUBDIVISION AND LAND DEVELOPMENT MATTERS

1. Preliminary/Final Subdivision and Land Development Plan – Dustin Martin, 1906 Bridge Road

Applicant: Dustin Martin

Property Owners: Fred & Miriam Martin

Location: 1906 Bridge Road

Project: Applicant seeks approval for final plan for 2-lot subdivision.

Jim Henke, Pioneer Management, LLC was in attendance to discuss the plan. Consideration of the plan was tabled at last month's Supervisors' meeting. The 5' area between the two lots is no longer existent. Ms. Warren stated there have been no further comments from the township's engineer.

WAIVERS

Section 230-32.A(2)(c) - Loading ratios in karst area
Section 230-37.C(1)(a)[4] - Minimum pipe diameter
Section 230-37.C(1)(c)[1] - Manhole Design
Section 230-37.C(1)(d)[1] - Minimum swale freeboard
Section 240-15.C(3) - Features within 200' of the subject tract
Section 240-16.F(10) - Defer Improvement Guarantee
Section 240-24.C(1) - Improvement to Existing Streets

Supervisor Kauffman made a **MOTION**, seconded by Supervisor Moyer, to approve the waivers and the Final Plan as presented. The motion was approved unanimously, 5 to 0.

2. Request for Extension of Time – West Creek

Mark Stanley, Esq. representing Charlan Group, explained how the plan was first proposed in 2008, but due to economic factors at the time the project was delayed. Several extensions have been requested and approved. He explained the request is to initiate the Conditional Use Hearing for the property, and to move the plan forward through the preliminary and final plan processes.

Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, to approve the request for an Extension of Time of 1 year (to May 2018) to initiate the Conditional Use and Land Development processes for West Creek Development. The motion was approved unanimously, 5 to 0.

3. Request for Release of Improvement Guarantee – Willow Valley Assoc./Willow Valley Square

Supervisor Beers made a **MOTION**, seconded by Supervisor Moyer, to approve releasing the improvement guarantee of Willow Valley Associates/Willow Valley Square, conditioned upon holding the submitted letter of credit for McDonald's. The motion was approved unanimously, 5 to 0.

MONTHLY REPORTS

1. Treasurer's Report

Revenues are looking good. Expenses are ahead of budget, but that is due to timing issues. Projected investment income for the year with the changes made at the last meeting should be approximately \$33,000. The Supervisors commended Vicki Harnish, Finance Coordinator, on the reports provided each month.

Payment of Bills

Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to accept the Treasurer's Report, and authorize the staff to satisfy the ordinary and routine obligations incurred by the township in order to take advantage of discount and allowances, and to avoid delinquent penalties and carrying charges. The motion was approved unanimously, 5 to 0.

2. Public Works Report

James Kreider, Public Works Supervisor, reported the yard work on Locust Lane is complete, the driveways are done, and final paving is expected to begin later this month. There is an area along the curb and driveways of some of the homes on the south side where mowing grass is almost impossible. The curb is higher, too narrow, and a "weed eater" would be needed. He found that none of the home owners possessed the equipment, and he is suggesting possibly placing stone in the spaces. The Supervisors felt stones could be a walking hazard, and the consensus was to keep the grass.

Mr. Kreider explained the 1990 Dresser Grader the township owns is no longer used, and the department would like to sell it. Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, to authorize the sale of the 1990 Dresser Grader. The motion was approved unanimously, 5 to 0.

Mr. Kreider also needs authorization to sell the cardboard baler. His crew is no longer baling, as it takes too much time away from other duties. Not a lot of money is made back, either. Ms. Warren explained Penn Waste placed a dumpster out back to collect the cardboard. The township will not be charged for the dumpster, and will still get the recycling benefits (tonnage reported). Supervisor Beers made a **MOTION**, seconded by Supervisor Patterson, to authorize the Public Works Department to sell the cardboard baler. The motion was approved unanimously, 5 to 0.

3. Police Report

Chief Wiczkowski noted the week of May 15 is Peace Officers Week.

The two new police vehicles are in, just not yet operational. He would like the Board's permission to sell Car #2 and Car #5. Supervisor Moyer made a **MOTION**, seconded by Supervisor Beers, to authorize the Police Department to sell Car #2 and Car #5.

The Friends of the Force (FOF) have agreed to purchase the records system discussed at the last meeting.

The department joined a Crash Team with East Hempfield, West Hempfield and Manor Townships, and Columbia Borough.

He reported on the speed checked along Gypsy Hill Road discussed at the last meeting at the request of a resident at 1117 Gypsy Hill Road. The average speed along this stretch of road, heading west, was 36.27mph. There was only 1.9% of the 23,000 vehicles clocked going 1 mph more than the 40mph speed limit, and .01% going more than 10mph over. In further discussion, the property's driveway was mentioned. The property has a "Sold" sign on it, but it is unknown if the buyer is aware of the driveway's non-compliance with township and PennDOT regulations. Supervisor Kauffman stressed notice should be given to the owner to get the driveway into compliance.

Chief also reported West Lampeter was selected as 29 out of 50 Top Safe Cities in an unsolicited publication.

4. Community Development Department Report

Joellyn Warren, Director, noted property maintenance issues are coming in fast for high grass and weeds.

Supervisor Kauffman asked about the status of 1518 Millport Road and the dirt being moved and piled, etc. He said the site is dusty, with bulldozers working at all hours of the night. He questioned whether they are operating as the permit allows. Rick Breneman, Planning Commission Member in the audience, remarked chemical tests should be done with the location so close to the Conestoga River. Ms. Warren stated there have been inspections, and there are deficiencies. They will be meeting with the owner on May 11th with the Lancaster County Conservation District (LCCD) who issued the permit to discuss the deficiencies.

The MS4 program will begin sharing a technician from East Lampeter Township to work with our Stormwater Coordinator. The agreement with ELT must be amended to allow this change. Supervisor Moyer made a **MOTION**, seconded by Supervisor Kauffman, to approve the amendment in the agreement with East Lampeter Township regarding shared services in the MS4 Stormwater program, and authorize the Chairman to execute the amendment. The motion was approved unanimously, 5 to 0.

5. Township Manager's Report

Ms. McGuire explained neighbors and a nearby business are using the property at the old Willow Street Elementary School lot for parking (now the township's property). None of the people parking have received permission from the township or the school to park in the lot. She spoke with the township's solicitor who suggested posting the property for "no parking" or "Park Activities Only" on the lot.

Ms. McGuire, Supervisor Patterson and the Finance Coordinator met to discuss creating a trust for the police post-retirement health benefits funds. Mark Smith, Barley Snyder, is assisting, charging fees not to exceed \$4,500. Supervisor Moyer noted for the record he is in partnership with Mr. Smith at the law firm Barley Snyder. Supervisor Patterson is working on recommendations for a financial advisor depending on the type of trust set up. Consensus from the Board is to move forward.

A meeting was held with the Willow Street, Lampeter and Lafayette fire companies to determine who has "primary response" protocol and where. Under a mutual aid being set up it was determined Willow Street and Lampeter will have "command and control" of all calls for West Lampeter Township. This is consistent with township ordinance in the West Lampeter Code, Chapter 22. Ms. McGuire will send a letter to Mike Reese, Chief of Willow Street, to give to 911.

TOWNSHIP ADMINISTRATION MATTERS

None.

OTHER BUSINESS

With no other business to be conducted, the meeting was adjourned at 8:50 p.m.

Respectfully Submitted,
Robert E. Patterson, Township Secretary-Treasurer